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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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BLAKELY SOKOLOFF TAYLOR & ZAFMAN  
12400 WILSHIRE BOULEVARD, SEVENTH FLOOR  
LOS ANGELES, CA 90025

EXAMINER

KAPADIA, MILAN S

ART UNIT PAPER NUMBER

2144

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/731,019

Applicant(s)

WILSON, DAVID J.

Examiner

Milan S Kapadia

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Notice to Applicant**

1. This communication is in response to the application filed 7 December 2000. Claims 1-6 are pending.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 13-15, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epinions ("www.epinions.com," October 12, 1999) in view of Boulton et al. (5,537,618).

(A) As per claim 1, Epinions teaches a method for identifying as being helpful or otherwise valuable product/service reviews at a server coupled to a distributed communication network comprising the steps of:

displaying product/service reviews from said server on a client display connected to said server over said network (Epinions; pages 9 and 10;

providing an interactive elements associated with the displayed review on the client display, which when clicked by a user indicates that the user has found the displayed review helpful in determining whether or not to purchase or not to purchase or to use product/service at issue (Epinions; page 10;

receiving at said server an indication that the user has clicked the interactive element, and incrementing a count of a stored number of indications for said review in response to said indication (Epinions; page 9); and

displaying the number of indications associated with a review on said client display together with the review (Epinions; page 9).

Epinions fails to expressly teach said server includes a database for storing the product/service reviews. However, this feature is old and well known in the art, as evidenced by Boulton's teachings with regards to said server includes a database for storing the product/service reviews (Boulton; col. 5, lines 3-32 and col. 10, line 61-col. 11, line 42 ). It is respectfully submitted, that it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to expand the system taught by Epinions with Boulton's teaching with regards to this limitation, with the motivation of providing a central storage location for the reviews (Boulton; col. 5, lines 20-23).

(B) System claim 3 repeats the subject matter of method claim 1 as a set of apparatus elements rather than a series of steps. As the underlying processes of claim 1 has been shown to be fully disclosed by the teachings of Epinions and Boulton in the above rejections of claim 1, it is readily apparent that the system disclosed by Epinions and Boulton include the apparatus to

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perform these functions. As such, these limitations are rejected for the same reasons given above for method claim 1, and incorporated herein.

(C) Claim 4 repeats the features of claim 1 and is therefore rejected for the same reasons given above in the rejection of claim 1 and incorporated herein.

(D) System claim 6 repeats the subject matter of method claim 4 as a set of apparatus elements rather than a series of steps. As the underlying processes of claim 4 has been shown to be fully disclosed by the teachings of Epinions and Boulton in the above rejections of claim 4, it is readily apparent that the system disclosed by Epinions and Boulton include the apparatus to perform these functions. As such, these limitations are rejected for the same reasons given above for method claim 4, and incorporated herein.

4. Claims 1-6, 13-15, and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Epinions ("www.epinions.com," October 12, 1999. and Boulton et al. (5,537,618) as applied to claim 1 above and further in view of Newswire ("@Home, Netscape, Yahoo! Veterans Announce epinions.com).

(A) As per claim 2, the combined system of Epinions and Boulton fail to expressly teach sorting the reviews in ascending or descending order as a function of the number of indications tallied for each review, and sequentially displaying the reviews in sorted review. However, this feature is old and well known in the art, as evidenced by Newswire's teachings with regards to

sorting the reviews in ascending or descending order as a function of the number of indications tallied for each review, and sequentially displaying the reviews in sorted review (Newswire; page 2, paragraphs 3 ). It is respectfully submitted, that it would have been obvious, to one having ordinary skill in the art at the time the invention was made, to expand the collective system taught by Epinions and Boulton with Newswire's teaching with regards to this limitation, with the motivation of helping consumers make the right buying decisions (Newswire; page 2, paragraph 2).

(B) Claim 5 repeats the features of claim 2 and is therefore rejected for the same reasons given above in the rejection of claim 1 and incorporated herein.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited but not applied art teaches a system and method for improving problem source identification in computer systems employing relevance feedback and statistical source ranking (5,794,237); a web review system (Kuehl, Claudia, "New world of Web review," Internet World, December 1, 1999); and an review system for the review of on-line help ("On-Line Help Reviewer Facility," IBM Technical Disclosure Bulletin, March 1994).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milan S Kapadia whose telephone number is 703-305-3887. The examiner can normally be reached on Monday through Friday, 8:30 A.M. to 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9327 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
mk

March 4, 2004

  
DAVID WILEY  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100